THE WISH DESIGN PROPERTY AND ADMINISTRATION OF PROPERTY AND AD most impossible to got in; he had a good deal of silver plasts; I know nothing of gold spoons, has pariors were imministed very expensively, and had a very large number of vase; I was informed by his wife that some of them cost 15:00 a pair; there was a magnificent niche in the staffway; I nucerstood that Huntingta had a band of music to white way the time, but never board it; my ann was in New York in July or August lead cummer, and Huntington und him that he would an intermed and the staff of the staff of herea; I totel him that he should not foon in the most of herea; I totel him that he should not should not continue and the staff of the staff of herea; I totel him that he should not keep and the staff of the should not keep a totel him to the staff of the should not keep a thousand for his samily in his property; he cale not keep a thousand deliare over might; I formed that opinion of him in 18:0; I have been apprehensive lately that something would happon: I expected to hear of his failure every far, and so did in Tituda, his wife visited ur diring the whiter of 1850, and his paid and seen an one; of him in the staff of the should happon: I expected to hear of his failure every far, and so did not fire his wife visited ur diring the whiter of 1850, and his paid and some staff of the staff of the should have been a summary of the conditions and the should have a staff which has been and the should have a staff which has been and the should have a staff of the should have been paid and the should have been

whitain A. Torcere, chambed by Wr. Bryan, testines follows:—I am a livery vasible respect how known flustrigion rince ilay, he kept from fifteen to twenty flustrigion rince ilay, he kept from fifteen to twenty be establed with me from May to September; he died the private stable in twenty sevents attreet; he bought a pair of gray bores at the Buil's Head for \$400, and gave a check of \$500 to a man to pay for them, and tood him to keep the balance; he bought another pair without seeing them, and paid more for them than the owner wanted; he was no judge of horses; the horses would have be returned to the stable in a bad condition; he gray at it; the carriages were silver mounted and got up in the best style; he had seven or eight carriages, and was in the haolt of exchanging them for others; he had three men to look after his horses at my stable; it is outcomary for gentlemen to leave the grooming to the stable kept; it limitingtom had his ewn grooms; in one inchance he gave \$20 to a man for holding his team; he had a gray bores and a scorel one in the care of George 2. Earlie Huntington had his ewn grooms; in one inchance he gave \$20 to a man for holding his team; he had a gray bores and a scorel one in the care of George 2. Earlie Huntington told me that he had sold them to him to the second of th

was there after a claim be had upon Huntington; Bianop & Co. bad forged paper amounting to \$37,000; part of it was on Phelpy. Dooge & Co., Muarce, Barry & Co. Sackett, Betcher & Co. Since Huntington has been in prison it has been arranged between him and Biahop & Co., not on the ground that it is a forgery, but on the ground that he owed that amount of money; the lorged paper was given up to the poince authorities.

Mr. Noges then read the judgment which Huntington made out in favor of Biahop & Co. The aggregate of the notes amounted to \$58,600, but he acknowled his in debtedness in the judgment to the extent of \$27,000; he gave Biahop & Co. those notes and sait they were first class, in place of paper of ours which he wanted to dispose of: Mr. Biahop would not consent at first, but fleatly Huntington persuaded him to let him have the notes; we never auspected that they were forgeries. Mr. Bryan is also counsel for Bishop and Co.; we first found that the notes were forged on October 10, the day after the first arrest; Mr. Habry brought them to our office, and showed Mr. Bishop the notes. Mr. Baked me what is meant; I replied that it was a forgery. Habrey came from Belien to find weather they were genuine or not; the collaterals, the four hundred shares of rairread atlock, were partly in Harberbeck's claim; they claimed \$15,000, for which they asked 30 shares of the stock; we told Harbeck we would pay the \$15,000, and take the shock; I took the stock because it was reliable; I don't know anything more about fluntington than I have steed; the amount which Bishop & Co., authorized Huntington to borrow for them on the Lare Shore road, must have been but dreds of thoursands of what he made, as he was making a great deal, if I would let him have from \$5,000 to \$30 Oct & at time; he institled that I should take half of what he made in the transcrition injusing or leading transaction, but simply a division of profits.

The camination of this witness having been concluded, coursel on both sides held a long conversation

TO THE EDITOR OF THE HERALD.

TO THE EDITOR OF THE HERALD.

On perusing the Herand bis morning I was agreeably surprised to find an article headed "The Jews," which, in some measure, gives a correct picture of the condition of that people at the present time. It contains facts of which we certainly can be proud, and, allow me to inform you, only one, perhaps two, objectionable passages which we certainly can be proud, and, allow me to interm you, only one, perhaps two, objectionable passages—a thing aimost unheard of ere this, for nine-tenths of the articles concerning the Jews, their religion, &c., which have hitherto appeared in our public journals, are replete with misrepresentations and slander, making them altogether unworthy of an answer from our side. Not so with the case in question—this, I am happy to state, is written by an unprejudiced and generous mind, and would be sligetter fautilies but for the passage or two which I have already alfueed to, and which I will now writely mention and comment upon. In the course of your remarks you say that "in business none are more keen, though others may be more acrupulous." This is the passage to which we object; and in regard to it allow me to remark that if you will refer to your former hence you will fine that others—a good many others—are sometimes timed as a secondary of the secondary of the latest the secondary of the secondary of the secondary of the passage to which we object; and in regard to it allow me to remark that if you will refer to your former hence you will fine that others—a good many others—are sometimes timed to be a secondary of the secon

The Buffalo Debutante.

[From the Buffalo Advertises, Dec. 23.]

The "yeung lad," whose first appearance on any stage took place at the Metropolitan thesire on Monday evening last, had a beneft on Saturday night, after playing through the week; and she has given her teet many against our city, shaken the dust from her feet as dataon her final departure for ner luvarious home on the Fifth avenue. The "young lady" undertook the representation of six different characters, embracing a wide range of dramatic lituatration, and affording opportunities for the display of histricant calent of any description, if she has been so fortunate as to possess a little of this rare article. She opened with Julet and closed with Lady Texke. We abstained from comment on her first perference, from considerations of delicacy and kindness, deeming it possible that some little ability might be concealed or obscured by the abyness and embarrasement incident to the trying position of a novice, and hoping that she might be able partially to overcome her giarrig disadvantages of person, carriage and sadress. But every succeeding appearance was worse than the other, and we were at last constrained to express the popular jungment that she had mistaken her vocation. This we did in mild and guarded torms, simply advising her to abandon a profession for which she has coarcely a qualification. But she would play out her engagement, even to empty boxes, and nobody in the inmity drich. She legan with a full honse, the addition bing a tracted by corriously to see a "beautiful young lady," from the fact and the profession of the part and the rise was a second graph, the adventigation of the humans of the vice and the part of the p

of some of your public journals to crush down the dawn are geforts of American stalent. Perobance, if in her stease me foreign wanten had appeared on the stage and in tervated those suffrages in her layor, which I neglected to secure, she would have commanded their warmost adviation, while the dawning efforts of a virtuous gentus would be discountenanced. Seen is ever the case. I did not intend to notice any of the criticisms, but the gentlemanly decorum of yours (of a perfect stranger to me) stood out in such bold relief that I could not avoid thanking you for it. It must be confessed that it was an immerse undertaking for a refined sensitive and gitted any, without having, in a single instance solicited their of the press—a matter I did not care about, thinking most of them, at least, would be lair—without a troupe of admiring friends to support her—knowing not a single person in this city, except the manager—to stand and whilst whatever talents God had gifted her, and behaved in the manner referred to, before the Beffalo public, on the occasion of the engagement she has just gone through. That she did not entirely succumb is the ment, not of the pseudo dramatic critics of whom I have just spoken, but of her own consciousness of talent and firm ness of character, and determination to exhibit her talent under the most adverse circumstances.

Vet I will not beginted to say that to any candid and fair mired, the lady in quertion has exhibited talents of no mean order.

Her improvement has been gradual, and a few more

Yet I will not becitate to say that to any candid and fair mird, the lady in question has exhibited talents of no mear order.

Her improvement has been gradual, and a few more months of experience on the stage will exhibit dramatic abilities of a high order.

I would never for one moment have consented to her adopting this life had it not been for the strong recommendations of soher minded and intelligent dramatic critics in New York, one of whom had been dramatic critics in New York, one of whom had been dramatic critics of the Albien for meny years, who had not the slight est doubt of her smooss.

There could not have been a better school in which to have tasted the first bitter fruits of stage life than the sic tropolitan theatre of this city, for the past week.

That she has gone through it under such unfavorable circumstances without flunching, is evidence, to say the least, of some genius for the drama. I argure well of her nurse from her short experience. Whatever may bettide her, there is one thing certain: The press cannot bolster up for any long period that which does not exist—nor can they in the womb of time, in this country, repress talent.

Many thanks for your courtesy. Is it too much to ask you to insert this in you valuable journal? I trust you will do her that brief justice. Yours, respectfully.

D McMaHON, 271 Broadway, N. Y.

you to insert this in your valuable journal? I trust you will do her that brief justice. Yours, respectfully.

D McMaHON, 271 Broadway, N. Y.

Governor Wise at Home.

[Correspondence of the Roston Traveller.]

Obarcock, Accomma Co., Va., Nov. 12, 1856.

Gov. Henry A. Whe has a fine farm and tastefully arranged residence lying on the bank of the Onancock creek, where he spen most of his leisure time before placed in the Gubernatorial chair. I was curious to know how a man so famous throughout the country would be regarded at home, and found, notwithstanding the old proverb, this prophet was not without home even in his own country. His neighbons seem to regard the Governor as one of the most remarkable mun of his time, and to think that be will uitimately triumph over every obstacle, no matter in what direction he exerts his taients. They are not more proud of his fame as an orator and stateman than of some other qualities not so well known at a obtaine. They tell many ancedores of his extensive and accurate general knowledge, and the rapidity and elegances with which be will inform himself on any schedile point necessary in his profession. Has knowledge of medical jurisprudence is great, surpassing that of a majority of the medical profession, which is especially shown in conducting criminal cases involving the facts of wounds and poisons. One anecdote concerning the Governor was that once engaged in the conduct of a contested will case, involving the sanity of the decedent, some twenty or more physicians were assumed on it is subject, and testified in such a way than Mr. Whise appeared to have lost the case completely. Sur these who could read his almost expressionless face, as he sat lifeting to this mass of evidence directly seniors the side, know that he mout have some forforn tops in reserve. And they were not disappointed, for in the croes examination, instead of being puzzled by the professional technicilities in which the learned gentlemen chone to phrase their evidence, he confounded them by medical te

The War Among the Free Masons. MESTING OF PR. JOHN'S GRAND LODGE.

2d. That the Mort Worshipful Grand Lodge of the State of New York is a body of Masons in whom are originally and invariably vested the government and superioteed ence of the Iraternity within its terrestrial jurisdiction: Therefore the body styled St. John's Grand Lodge is not Masonic, nor its members Masons.

3. To the third proposition no answer is necessary.

4. That the ancient landmarks (writton and unwritton) are these principles of masonic law and polity which are immutable, and that it is not in the power of any man or body of men to make innovations therein.

5 and 6. That smeadments to the constitution of the M. W. Grand Lodge of New York can only be made at its at must communication, and as provided for by section 126 of said constitution.

7. That the privilege to become a Mason consists in possessing the qualifications known to masonic law, and having the unanimous consent of the lodge to which the petition is presented.

Finally, that the propositions presented are of such a closurator that they cannot, in whole or in part, be further entertained.

BOBERT MACOY. Committee for the HENRY W. TURNER, Grand Lodge of ANDREAS CASSARD, New York.

Your committee would further report that no reply has been received to the communication addressed to R. W. Caward Cook; but two of your committee were verbally informed by this gentleman that his committee were verbally informed by this gentleman that his committee were verbally informed by this gentleman that his committee were verbally informed by this gentleman that his committee were verbally informed by the subject of a union.

From the spirit manifested by the committee from the two other masonic grand bodies of this State it is evident that there is no desire on their part to harmonize the difficulties existing in the masonic fraternity of this State, their off expressed opinion to the contrary not withstanding. Your committee would therefore report that it is their unanimous opinion that a ucion of the ledges and mombers of St. John's Grand Lodge with th

the Lodge. He wished the members of the Grand Lodge to fully understand that the propositions submitted were substantially the same as were submitted in 1850 to the Grand Lodge of the State of New York, except so much to fully understand that the propositions submitted were substantially the same as were submitted in 1830 to the Grand Lodge of the State of New York, except so much as requested an amendment of the constitution of the Grand Lodge. With this explanation the trusted the members would understand that nothing unreasonable was asked. In 1850 St. John's Grand Lodge, numbering teverly-three subordinate lodges and two or three thorough the submitted in the 1850 St. John's Grand Lodge, understand that nothing unreasonable was asked. In 1850 St. John's Grand Lodge, understand that nothing unreasonable was a state of the submitted that the Depthy Grand Master, Robert Macoy, termerly an efficer in the St. John's Grand Lodge, the trusted the latest that the submitted in the United States of the St. John's Grand Lodge, the trusted the collegation, that the St. John's Grand Lodge, the trusted the collegation, the submitted that the St. John's Grand Lodge, the Lodge Long the St. John's Grand Lodge, the Lodge Long the Long the Lodge Long the Long

the Grand Lodge. A sacred trust was committed to Masens; the institution was the oldest in the world, as some even traced it beyond the hullding of the Temple. It touches the right chord in the human heart, and that is harmony and brotherly love to all mankind. So long as these prevailed, and he doubted whether there was a more normalized body in the Union, han the Masens of Connecticut. It was their beacon lightto preserve the ancient landmarks of the order, and harmony prevailed. In Connecticut they looked with regret at these differences; he had never looked so much into them as on the present consiles, and he was not surprised. It was not for him to say who was right or whe was wrong, however. The speaker then referred to Hebry G. Atwood; he had not him twenty years ago, when Master of Oxford Lodge, and he never saw a man who had more excellent information as a Mason, or who adhered more to the preservation of the anoient landmarks. All these difficulties arcse out of the removal of these, and did not, he thought, commence with the rank and file. He also knew Joremy L. Cross who approved the St. John's eyetem. One great difficulty was that the members thought when they visited other places the doors should be closed against them. This was not so in Convecticut. Although he had no wish to interfere in the business of the lodge, yet nemast say that he sproved of the report, and saw nothing in it obnexious. He would give a word of advice with regard to harmony. He cand no are how these two bodies could come tegether without a tight or the interposition of an umpire. When he went abroad to England or France, or to New Orleans or Roston, he was at home; so were all Masons except those of New York. The next effort made for union, it appeared to him, should come from a broad. He enterested all, as Masons, to preserve pace, at least among themselves. He recommended the St. John's Grand Lodge was subsequently closed with prayer by the R W. Grand Chaplain.

The French Kanliway Case.

The French Rallway Case. SUPREME COURT—SPECIAL TERM.

Before Ron. Judgo Davies.

DEC. 24 — The Northern Railway Company of France vs.
Carpentier and others — The attention of the Court having been called to the condition upon which the order to discharge the defendants. Eugeno Grelet and Felicité Debud, was granted, it has looked again into the practice in similar cases. The rule governing the Courts in Eng. land is the one laid down in I Arch. Pr. by Chitty, p. 703. 'Generally speaking if the application (to discharge from arrests) is successful the Judge either orders the psyment of the coasts by the plaintiff, and restrains the defendant from bringing any action on account of the arrests upon an improper affavit, or else leaves the defendant to bring auce such a stipulation when it appears that the agreet was made without making any order ast to costs.'' The practice in the Courts of this Sate is quite universal to impress such a stipulation when it appears that the agreet was made without malice and upon probable cause its manifest from the fact that it was made by the action of a Judge of this Court upon being satisfied that sufficient grounds existed to authorize it. The case of the Esak of the United States was Jenkina. (18 Johnson's Rep., p. 395.) clied by defendant's cennel existins this practice. In that case the a torney for the plaintiff issued a st. st. against the defendant, and caused him to be arrested and imprisoned when absent from home in a distant county of the State, sittoou having previously issued a st. fet. against his property, as required by statute. The Court, in setting saide the ca. sa. and directing the defendant to be discharged from imprisonment, say: "As he autorney of the piaintiff would be lable to an action for falso impresonment, and as there might be some doubt as to the meaning of the act, and he may have acted in good faith, we think we have a right to impose terms on the defendant. We therefore grant the motion, on condition that he stiffulse Lot to be true, an action for falso impresonment. The attention when the motion, on condition that he stiffulse Lot to be continued to the continue was most on the first day of the term, and on recensidering the law, we are catalisted that there was no the plantity, and that it was merely an experiment on their part to get the bud, was granted, it has looked again into the practice in similar cases. The rule governing the Courts in Eng. land is the one laid down in 1 Arch. Pr. by Chitty, p. 703.

· Surrogate's Court. IN THE MATTER OF THE ESTATE OF DANIEL HART,
DECEASED—PAROL EVIDENCE.
Decision of the Surrogato, A. W. Bradford.

DECEASED—TAROL SYDENCE.

Decision of the Surrogate, A. W. Bradford.

E. The testator provided by the residuary clause of his will as follows—"All the rest, residue and remainder of my estate, as well real as perconal, or the proceeds there-of, I give, devise and bequeath, unto my sisters, Ella, Tipporah, Betty, Rebecea and Rachel, equally, share and share alike, forever." Hetty Marks, one of the sisters, died before the testator, and I am asked to determing whether her chare lapsed or passed to her personal republications, and I am asked to determing whether her chare lapsed or passed to her personal republications, and I il lapsed, whether it caused to the benefit of the other legatices maned in the residuary old land, and it is a portion of his estation to the head of the chart of the other legatices, general and specific have been satisfied, and if any particular legacy falls by reason of the legates before the testator or for any other cause, the amount falls into the general residue. But if the residuary bequest or any portion of it is list, then to the extent of such faiture there is no valid testimentary provision and consequently to that extent the testator has died intestate. Now, in the present case the residuary begates are, by the terms of the will, tenants in common—that is to say, the legacy is not of the whole to the five bounty, but of one-fine to each one of the Bve severally, this severance being created by the words "equally stane and above alike?" It follows, therefore, that by the death of Mrs. Marks before her brother, the bequests of one fifth of the residue in her favor lapad, and there being no provision substituting her next of kin in the place in case of death, the one fifth which the while the place in case of death, the one fifth which the will and the residuary begates and the residuary begate and the residuary begate and the residuary as a portion of his estate, found under the circumstances not to be validly begates and the place in the will as he "course in a security of the pay